

## ARTICLE 19 AMENDMENT

## CLAIMS

1. (Amended) A wireless communication apparatus  
5 comprising:

a subcarrier allocation section that allocates first  
data satisfying a predetermined condition to a subcarrier  
or a subcarrier block selected based on reception quality  
information indicating reception quality of each  
10 communicating party and allocates second data different  
to the first data to a preassigned subcarrier or a  
preassigned subcarrier block; and

a transmission section that transmits the first data  
and the second data allocated to the subcarrier or the  
15 subcarrier block by the subcarrier allocation section.

2. (Amended) The wireless communication apparatus  
according to claim 1, wherein the subcarrier allocation  
section allocates the first data constituted by dedicated  
20 data transmitted to each communicating party to the  
selected subcarrier or subcarrier block, and allocates  
the second data constituted by common data transmitted  
to a plurality of communicating parties to the preassigned  
subcarrier or subcarrier block.

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3. (Amended) The wireless communication apparatus  
according to claim 1, further comprising a data amount

determination section that determines an amount of data of transmission data,

wherein the subcarrier allocation section allocates the first data of the data amount greater than or equal to a first threshold value to the selected subcarrier or subcarrier block, and allocates the second data of the data amount less than the first threshold value to the preassigned subcarrier or subcarrier block.

10 4. (Amended) The wireless communication apparatus according to claim 1, further comprising a movement speed estimation section that estimates a movement speed of a communicating party from a received signal,

wherein the subcarrier allocation section allocates the first data transmitted to a communicating party of the movement speed estimated by the movement speed estimation section of less than a second threshold value to the selected subcarrier or subcarrier block, and allocates the second data transmitted to a communicating party of the movement speed estimated by the movement speed estimation section of greater than or equal to the second threshold value to the preassigned subcarrier or subcarrier block.

25 5. (Amended) The wireless communication apparatus according to claim 1, further comprising a delay spread measuring section that measures a delay spread of a

propagation path from a received signal,

wherein the subcarrier allocation section allocates the first data of the delay spread measured by the delay spread measuring section of less than a third threshold value to the selected subcarrier or subcarrier block, and allocates the second data of the delay spread measured by the delay spread measuring section of greater than or equal to the third threshold value to the preassigned subcarrier or subcarrier block.

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6. (Amended) The wireless communication apparatus according to claim 1, further comprising a delay spread measuring section that measures a delay spread of a propagation path from a received signal,

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wherein the subcarrier allocation section allocates the first data of the delay spread measured by the delay spread measurement section of greater than or equal to a lower threshold value and less than an upper threshold value set in a direction where the delay spread becomes larger than the lower threshold value to the selected subcarrier or subcarrier block, and allocates the second data of the delay spread measured by the delay spread measuring section of less than the lower threshold value and greater than or equal to the upper threshold value to the preassigned subcarrier or subcarrier block.

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7. (Amended) The wireless communication apparatus

according to claim 1, wherein the subcarrier allocation section allocates the second data to a plurality of subcarriers or a plurality of subcarrier blocks at a predetermined frequency interval within a communication  
5 frequency band width.

8. (Amended) The wireless communication apparatus according to claim 1, wherein the subcarrier allocation section holds a reference table storing modulation scheme  
10 information associating reception quality information and modulation scheme, selects the modulation scheme for each subcarrier or subcarrier block using reception quality information for the communicating party, and allocates the first data to the subcarriers or subcarrier  
15 block using scheduling in such a manner that the required transmission rate for each communicating party is satisfied using required transmission rate information indicating required transmission rate of each communicating party.

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9. A base station apparatus comprising the wireless communication apparatus of claim 1.

10. (Amended) A subcarrier allocation method comprising  
25 the steps of:

(a) allocating first data satisfying a predetermined condition to a subcarrier or a subcarrier block selected

based on reception quality information indicating reception quality of each communicating party and required transmission rate information indicating required transmission rate of each communicating party;

5 and

(b) allocating second data different to the first data to a preassigned subcarrier or a preassigned subcarrier block.

10 11. (Amended) The subcarrier allocation method according to claim 10, wherein allocating the first data constituted by dedicated data transmitted to each communicating party to the selected subcarrier or subcarrier block in the step (a), and allocating the second data constituted by  
15 common data transmitted to a plurality of communicating parties to the preassigned subcarrier or subcarrier block in the step (b).

12. (Amended) The subcarrier allocation method according  
20 to claim 10, further comprising a step (c) of determining an amount of data of transmission data,

wherein allocating the first data of the data amount greater than or equal to a first threshold value to the selected subcarrier or subcarrier block in the step (a),  
25 and allocating the second data of the data amount less than the first threshold value to the preassigned subcarrier or subcarrier block in the step (b).

13. (Amended) The subcarrier allocation method according to claim 10, further comprising a step (d) of estimating a movement speed of a communicating party from a received  
5 signal; wherein

allocating the first data transmitted to a communicating party of the estimated movement speed of less than a second threshold value to the selected subcarrier or subcarrier block in the step (a), and  
10 allocating the second data transmitted to a communicating party of the estimated movement speed of greater than or equal to the second threshold value to the preassigned subcarrier or subcarrier block in the step (b).

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14. (Amended) The subcarrier allocation method according to claim 10, wherein, in the step (b), allocating the second data is allocated to a plurality of subcarriers or a plurality of subcarrier blocks at a predetermined  
20 frequency interval within a communication frequency band width.

15. (Amended) The subcarrier allocation method according to claim 10, wherein, in the step (a), reception  
25 information for a communicating party is employed, selecting a modulation scheme for each subcarrier or subcarrier block by referring to modulation scheme

information associating the reception quality  
information and the modulation scheme, and allocating  
the first data to the subcarrier or subcarrier block by  
scheduling in such a manner that a required transmission  
5 rate for each communicating party is satisfied using the  
required transmission rate information.